

REMARKS

This Application has been carefully reviewed in light of the Official Action issued November 6, 2009. Claims 1-25 are currently pending in this Application. In order to advance prosecution of this Application, Claims 1, 14, and 24 have been amended. Applicant respectfully requests reconsideration and favorable action for this Application.

Claims 1 and 14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 7,284,062 issued to Krantz, et al. in view of U.S. Patent No. 7,032,222 issued to Karp, et al. Claims 1 and 14 recite in general an ability to restrict, without totally suspending, processing of resource acquisition requests when a number of resources in use is within a first predetermined amount of a maximum number of available resources, wherein the resource acquisition requests include local resource acquisition requests generated by at least one local filesystem of a local computer system for access to local storage and network resource acquisition requests generated by at least one network filesystem of the local computer system for access to remote data via a network and wherein restricting processing of resource acquisition requests applies to network resource acquisition requests and not local resource acquisition requests. By contrast, the Krantz, et al. patent is concerned with whether a client computer system can access a particular network. Access to a first network 413 may be restricted to a client computer system 405 while access to a second network may be allowed in the Krantz, et al. patent. See col. 10, lines 39-47, of the Krantz, et al. patent. As a result, the Krantz, et al. patent is only concerned with the access capability of a client computer system to other networks. However, the Krantz, et al. patent fails to disclose any ability to restrict the

processing of any requests within its client computer system let alone in the manner provided by the claimed invention. Similarly, the Karp, et al. patent fails to distinguish between network resource acquisition requests generated by a network filesystem of a local computer system and local resource acquisition requests generated by a local filesystem of the local computer system let alone the restriction of processing of resource acquisition requests being applied to network resource acquisition requests and not local resource acquisition requests as required by the claimed invention. Therefore, Applicant respectfully submits that Claims 1 and 14 are patentably distinct from the proposed Krantz, et al. - Karp, et al. combination.

Claims 2-13 and 15-25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 7,284,062 issued to Krantz, et al. in view of U.S. Patent No. 7,032,222 issued to Karp, et al. and further in view of U.S. Patent No. 6,515,994 issued to Chuah, et al. Independent Claim 1, from which Claims 2-13 and 25 depend, and Independent Claim 14, from which Claims 15-23 depend, have been shown above to be patentably distinct from the proposed Krantz, et al. - Karp, et al. combination. Independent Claim 24 includes similar limitations found in Independent Claims 1 and 14 shown above to be patentably distinct from the proposed Krantz, et al. - Karp, et al. patent. Moreover, the Chuah, et al. patent does not include any additional disclosure combinable with the Krantz, et al. or Karp, et al. patents that would be material to patentability of these claims. Therefore, Applicant respectfully submits that Claims 2-13 and 15-25 are patentably distinct from the proposed Krantz, et al. - Karp, et al. - Richardson combination.

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PATENT APPLICATION
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CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other apparent reasons, Applicant respectfully requests allowance of all pending claims.

The Commissioner is hereby authorized to charge any fees and credit any overpayments associated with this Application to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

Attorneys for Applicant

A handwritten signature in dark ink, appearing to read "Charles S. Fish", is written over the printed name.

Charles S. Fish

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